

**AB 1934 (Corbett) - Telephone Corporations: Background Security Checks**

**As Introduced**

**Recommendation:** Support

**Summary:** This bill requires the California Public Utilities Commission (Commission) to:

Require telephone corporations to conduct an investigation into the background of applicants for employment and persons hired under a personal services contract sufficient to determine whether such persons are a threat to the security of the telecommunications system of the telephone corporation.

**Comments:** This bill has no direct impact on the CPUC's Telecommunications Division workload and offers some protection from harm to the telecommunications system.

**Analysis:** Section 708 of the Public Utilities Code requires electric, gas, and telephone corporations to prepare and issue an identification card to every employee who, in the course of his or her employment, has occasion to enter the premises of customers or subscribers of the corporation.

AB 1934, as introduced, requires telephone corporations to conduct an investigation into the background of applicants for employment and persons hired under a personal services contract sufficient to determine whether such persons are a threat to the security of the telecommunications system of the telephone corporation. The bill adds Section 7910 to the Public Utilities Code requiring telephone corporations to conduct background investigations of employees, as specified above.

The bill has no direct impact on the CPUC's Telecommunications Division workload and offers some protection from harm to the telecommunications system.

**LEGISLATIVE STAFF CONTACT**

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**Bill Language**

BILL NUMBER: AB 1934 INTRODUCED

BILL TEXT

INTRODUCED BY Assembly Member Corbett

FEBRUARY 12, 2002

An act to add Section 7910 to the Public Utilities Code, relating to telephone corporations.

**LEGISLATIVE COUNSEL'S DIGEST**

AB 1934, as introduced, Corbett. Telephone corporations: background security checks.

Existing law permits telephone corporations to construct, own, control, operate and manage telephone lines and to provide telephone service for compensation in the state, subject to regulation by the Public Utilities Commission.

This bill would require telephone corporations to conduct an investigation into the background of applicants for employment and persons hired under a personal services contract sufficient to determine whether the person is a threat to the security of the telecommunications services provided by the telephone corporation. The background investigation of persons hired under a personal services contract would be required to be equivalent to that conducted for regular employees of the telephone corporation.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) Telephone corporations generally subject their employees to background checks to determine their suitability for the job.

(b) These security checks generally ascertain the criminal background history of employees and other information that may bear on whether the employee may present a risk to the security of the telecommunications system.

(c) Telephone corporations often hire persons under personal services contracts to do or perform specific functions where they come in contact with the telecommunications system.

(d) These persons hired under personal services contracts are not subject to the same background checks as regular employees of the telephone corporation.

(e) It is the Legislature's intent that telephone corporations retain flexibility and discretion in their hiring and retention practices aimed at eliminating risks to the security of the telecommunications system, subject to regulation by the Public Utilities Commission, but that all persons that are in a position to present a security risk be subjected to the same standards without regard to their status as a regular employee, contract worker, independent contractor or vendor.

SEC. 2. Section 7910 is added to the Public Utilities Code, to read:

7910. (a) Telephone corporations shall conduct an investigation into the background of applicants for employment sufficient to determine whether they are a threat to the security of the telecommunications system of the telephone corporation.

(b) Telephone corporations shall ensure that an investigation is conducted into the background of any person hired under a personal services contract, including independent contractors and vendors and employees of independent contractors and vendors, that is sufficient to determine whether the person is a threat to the security of the telecommunications system of the telephone corporation. The background investigation shall be equivalent to that conducted for regular employees of the telephone corporation.

(c) This section is inapplicable to persons that do not have contact or access to telephone system equipment, the telephone corporation's central office, or customer premises.